

10/28/09

Attorney Docket No. 14609-0029

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: application of: Ionel D. Jitaru :
Serial No.: 10/511,232 : Examiner: Vu, Bao Q.
Filing Date: August 4, 2005 : Art Unit: 2838

Title: **HIGH EFFICIENCY FLYBACK CONVERTER**

CERTIFICATE OF MAILING BY EXPRESS MAIL

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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed as shown above:

1. Response to Notice of Non-Compliant Appeal Brief (1 page);
2. Copy of Notice of Non-Compliant Appeal Brief (2 pages);
3. Substitute page 1 of Appeal Brief (in triplicate); and
4. A return-receipt postcard,

on the date shown below:

Oct. 26, 2009
Date

Suzanne Shields
Suzanne Shields

Gallagher & Kennedy, P.A.
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**ON APPEAL TO THE U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

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**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF
(37 C.F.R. 41.37)**

In response to the Notice of Non-Compliant Amendment dated October 8, 2009, please substitute the enclosed corrected Page 1 (in triplicate) for the non-compliant Page 1 of appellant's Appeal Brief. As required in the Notice of Non-Compliant Amendment, the correction identifies the claims on appeal which are claims 6, 7, 13 – 16, 23, 24 and 33.

No fee is believed required, however, authorization is given to charge any additional fee associated with this communication to Deposit Account No. 070135.

Respectfully submitted,

GALLAGHER & KENNEDY, P.A.

A handwritten signature in black ink, appearing to read "T. D. MacBlain".

Date: October 26, 2009

By: Thomas D. MacBlain
Reg. No. 24,583

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